

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

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| JOSEPH BELL | § | |
| VS. | § | CIVIL ACTION NO. 9:18-CV-221 |
| RIKERS ISLAND WARDEN, <i>et al.</i> , | § | |

MEMORANDUM OPINION AND ORDER
OVERRULING OBJECTIONS AND ADOPTING REPORT AND RECOMMENDATION

Joseph Bell, an inmate currently confined at the Eastham Unit with the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed what appeared to be a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge recommends dismissing this action be as frivolous and for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(b).

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the records, and pleadings. Plaintiff filed three notices which this Court liberally construes as objections to the Report and Recommendation of United States Magistrate Judge. This requires a *de novo* review of the objections in relation to the pleadings and applicable law. *See* FED. R. CIV. P. 72(b).

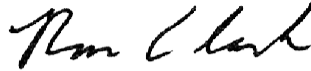
As outlined by the Magistrate Judge, plaintiff does not present a logical set of facts which would enable the court to determine the factual or legal basis for any cause of action. Plaintiff filed three notices after the Report and Recommendation which this Court liberally construes as objections. *See* Docket Entry Nos. 3, 5 and 6. A review of these notices reveals that plaintiff continues to recite fantastic charges which are incomprehensible. Plaintiff's claims are without an arguable basis in fact or law.

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. A Final Judgment will be entered in accordance with the recommendations of the Magistrate Judge.

So Ordered and Signed

May 10, 2019

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

Ron Clark, Senior District Judge